

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 12, 2000

DIVISION ONE

B130748 People (Not for Publication)
v.
Pool

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B126328 Zabrinas (Not for Publication)
v.
Ong

The judgment is affirmed. Respondent is entitled to recover his costs.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B125544 People (Not for Publication)
v.
Chen & Wang

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

DIVISION ONE (Continued)

B123393 Douglas (Not for Publication)
v.
University Of Southern California

We affirm the summary judgment for defendant USC. USC is awarded its costs on appeal.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B127949 People (Not for Publication)
v.
Lee

The judgment is modified to strike the firearm enhancement imposed on count 2. In all other respects, the judgment is affirmed. The matter is remanded for issuance of a new abstract of judgment showing the corrected sentence and accurately setting forth the fines imposed. The amended abstract is to be sent to the Department of Corrections

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B127020 People v. Garcia (Not for Publication)

The judgment is modified to strike the count 1 firearm enhancement. In all other respects the judgment is affirmed. The matter is remanded for the trial court to issue a new abstract of judgment showing the modified sentence. The abstract is to be sent to the Department of Corrections

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION TWO

B126983 People (Not for Publication)
v.
Bennie Stephens

The judgment is amended to reflect presentence conduct credits of 296 days pursuant to Penal Code section 4019. The clerk of the superior court is ordered to prepare a corrected abstract of judgment to reflect the additional days of presentence credits as well as the \$200 restitution fines imposed pursuant to Penal Code sections 1202.4, subdivision (b) and 1202.45, and to forward the corrected abstract to the Department of Corrections. In all other respects, the judgment is affirmed.

Boren, P.J.

I concur: Nott, J.
I dissent: Mallano, J. (Assigned) (Opinion)

B130122 Steven A. Broiles et al. (Not for Publication)
v.
City of Sierra Madre et al.

The judgments in each case are reversed with directions to the trial court to dismiss the actions as being moot; each party to bear its own respective costs on appeal.

Cooper, J.

We concur: Nott, Acting P.J.
 Mallano, J. (Assigned)

DIVISION TWO (Continued)

B127437 Amanda Barber (Not for Publication)
 v.
 Leon Ichaso

The order appealed from is reversed. The case is remanded for a determination of the issue of whether the Louisiana court had personal jurisdiction to render its spousal support order. Ms. Barber to pay Mr. Ichaso's costs of appeal.

Nott, J.

We concur: Boren, P.J.
 Mallano, J. (Assigned)

B133133 In re Anthony James H. (Not for Publication)
 Los Angeles County, D.C.F.S.
 v.
 Autry H.

The Court:

The orders under review are affirmed.

Boren, P.J., Nott, J., Cooper, J.

DIVISION THREE

B126768 People (Not for Publication)
 v.
 Kincy

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
 Kitching, J.

DIVISION THREE (Continued)

B121046 People (Not for Publication)
v.
Macias

The clerk of the superior court is ordered upon issuance of the remittitur to prepare a corrected abstract of judgment as set forth in this opinion and to forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Schneider, J. (Assigned)

B127814 Cameron Benson, as Conservator (Not for Publication)
of the Estate of Harry M. Cassel
v.
Robert L. Conn

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B130682 Los Angeles County Dept. of (Not for Publication)
B132520 Children and Family Services
v.
Maranda M.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B119291 Nancy Rabin Brucker (Not for Publication)
 v.
 David L. Rosenbaum, M. D.

The judgment is reversed. Appellant(s) to recover costs.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Schneider, J. (Assigned)

B123498 Gladyce Karlin (Not for Publication)
 v.
 City of Santa Monica

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Schneider, J. (Assigned)

DIVISION FOUR

B126622 People (Certified for Publication)
 v.
 Jackson

The judgment is modified to reflect a conviction of one count of battery against a cohabitant in violation of Penal Code section 243, subdivision (e)(1), and as modified is affirmed. The matter is remanded for resentencing.

Epstein, Acting P.J.

We concur: Hastings, J.
 Curry, J.

DIVISION FOUR (Continued)

[illegible]

For the foregoing reasons, we modify the judgment to impose and suspend a fine in the sum of \$200 pursuant to Penal Code section 1202.45 and, as modified, affirm. The superior court is directed to prepare an amended abstract of judgment which reflects the fine imposed pursuant to Penal Code section 1202.4 and the fine imposed and suspended pursuant to Penal Code section 1202.45.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B129052 People
v.
Jacinto

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FIVE

B123943 Trans-Union Customs Service, Inc. (Not for Publication)
v.
Dan Adler

The judgment is modified to provide for a total damage award of \$23,126.01. The prejudgment interest is modified to \$8,762.54. As modified, the judgment is affirmed. Trans-Union's request for sanctions on appeal is denied. Adler is to pay Trans-Union's costs on appeal.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B130619 Golden Eagle Insurance Co. (Not for Publication)
 v.
 Pardee Construction Co.

The judgment is affirmed. Respondent(s) to recover costs.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B130340 People v. American Contractors Indemnity Co.

Argument waived, cause submitted.

B130442 Watts
 v.
 Everson

Merits:
Argued by Christopher C. Melcher for appellant and by Ruby P.
Shimomura for respondent. Cause submitted.

B120104 Linsco Private Ledger
 v.
 Federman

Merits:
Argued by Herb Fox for appellant and by Craig Hughes for respondent.
Cause submitted.

DIVISION SIX (Continued)

B128688 Sakotas
 v.
 Workers Compensation Appeals Board

Review:

Presented by Russell Ghitterman for petitioner, by Robert Feinglass for amicus curiae Boehm & Associates, by Michael Rucka for amicus curiae California Applicants' Attorneys Association, and by Lawrence Kirk for respondent Scott-Wetzel Associates. Presentation previously waived by respondent Workers Compensation Appeals Board. Cause submitted.

Court recessed at 11:10 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., and G. Bents, Deputy Clerk.

B132673 Marriage of Schoenfeld

 Argument waived, cause submitted.

B131045 Fischten
 v.
 Ronca

Merits:

Argued by Stephen C. Ronca for appellant and by Patricia Gomez for respondent. Cause submitted.

B131697 Keegan
 v.
 Harris Water Conditioning

Merits:

Argued by G. Martin Zaehring for appellant and by Jay T. Rubin for respondents. Cause submitted.

DIVISION SIX (Continued)

Gilbert, P.J. left the bench.

B131865 McPherson
v.
State of California

Merits:

Argued by Bennett Rolfe for appellant and by Anne Hunter, deputy attorney general, for respondent. Cause submitted.

Court adjourned at 2:25 P.M.

DIVISION SEVEN

B122808 Duffy
v.
Trustees of the University of the California State University

B130164 Duffy
v.
Trustees of the University of the California State University

Filed order consolidating above captioned appeals.

B133208 People (Not for Publication)
v.
Garcia

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B128257 People (Not for Publication)
v.
Williams

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

[illegible]

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.

B127904 People (Not for Publication)
v.
Vazquez

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

DIVISION SEVEN (Continued)

[illegible]

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

B133710 People (Not for Publication)
v.
Albert F.

The order under review is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

[illegible]

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

DIVISION SEVEN (Continued)

B130393 People (Not for Publication)
v.
Ballard

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Neal, J.

B131749 People (Not for Publication)
v.
Tirado

The judgment is modified to stay the punishment imposed on appellant's conviction for robbery of Mr. Ahn. As modified, the judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B124387 People (Not for Publication)
v.
Rodriguez

The judgment of the trial court is affirmed.

Chavez, J. (Assigned)

We concur: Johnson, Acting P.J.
 Neal, J.

DIVISION SEVEN (Continued)

B132731 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Joanne L.

The order is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.

B129384 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Stella M.

The order is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

B132592 In re Movses Kuryan on Habeas Corpus (Not for Publication)

The petition for a writ of habeas corpus is denied.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

DIVISION SEVEN (Continued)

B126135 Cardenas (Not for Publication)

v.

City of Los Angeles

The orders and judgment of the trial court are affirmed. The parties shall bear their own costs on appeal.

Neal, J.

We concur: Lillie, P.J.

Woods, J.

B123336 Howser (Not for Publication)

v.

City of Long Beach et al.

The judgments of dismissal and the discovery order are affirmed. Respondent is awarded costs on appeal.

Chavez, J. (Assigned)

We concur: Johnson, Acting P.J.

Woods, J.

B117815 Trenton (Not for Publication)

v.

Infinity Broadcasting Corporation et al.

The judgement of the trial court denying Appellant Trenton's motion for summary judgment and granting the motion for summary judgement of Infinity is affirmed. Costs are awarded to respondent and cross-appellant, Infinity.

Chavez, J. (Assigned)

We concur: Lillie, P.J.

Neal, J.

DIVISION SEVEN (Continued)

B130344 Grossbard (Not for Publication)
 v.
 Horaney et al.

The judgment is affirmed. Respondents shall recover their costs on appeal.

Neal, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B132361 People (Not for Publication)
 v.
 Edmonson

The \$400 parole revocation fine is reduced to \$200, and as so modified, the judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
 Woods, J.